

Remarks

Claim 1 has been amended to recite a dye mixture comprising a yellow dyeing mixture of the dyes of formula I and IV together with a blue-dyeing mixture comprising the dyes of formulae IX and (Xa and Xb) or IX and XIII and Xa. Claim 3 has been canceled. In view of the amendments above and following remarks, Applicants respectfully request reconsideration by the Examiner, and advancement of the application to allowance.

35 U.S.C. § 103(a)

The Examiner rejected claims 1, 3, 4, 9, 12, 19, 20 and 22 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. (WO 02/059216). Claims 1, 3, 4, 8, 9-12, 18-20 and 23 were also rejected under 35 U.S.C. § 103(a) as being unpatentable over Himeno et al. (US Pat. No. 5,332,404). Applicants traverse these rejections for the following reasons.

Applicants do not dispute that Pichler et al. discloses numerous dyes and dye mixtures. In particular, Pichler et al. discloses certain red azo dyes alone or in combination with various yellow and blue dyes. However, Pichler et al. does not disclose or suggest a dye mixture which contains a blue dyeing mixture comprising the dyes of formulae (IX and Xa and Xb) or (IX and XIII and Xa) as presently claimed. Therefore, claimed blue dyeing mixture (B) is clearly distinguished over Pichler et al. Moreover, Pichler does not disclose or suggest a dye mixture containing a yellow dyeing-mixture (A) comprising the dyes of formula I and formula IV in combination with the blue dyeing mixture (B) comprising the dyes of formulae (IX and Xa and Xb) or (IX and XIII and Xa) as presently claimed.

Himeno et al. also teaches numerous dyes and dye mixtures. In particular, Himeno et al. teaches by combining two certain red monoazo dyes of formulae (1) and (2), a disperse dye mixture exhibiting improved temperature dependency and dyeing affinity may be obtained. Himeno et al. further teaches the red disperse dye mixture may also contain various yellow and blue disperse dyes. However, one of ordinary skill in the art, when reading Himeno et al. as a whole, could not predict that combining a yellow-dyeing mixture of the dyes of formula I and IV with a blue dyeing mixture of the dyes of formulae (IX and Xa and Xb) or (IX and XIII and Xa) as presently claimed could provide a dye mixture having high temperature lightfastness since Himeno et al. teaches it is the specific red monoazo dye mixture which provides the improvement. *See Himeno et al.* at col. 2, line 58 to col. 3, line 7.

The Examiner also rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. or Himeno et al. in view of Haruta et al. (US Pat. No. 5,718,216). For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Haruta et al. does not bring one skilled in the art closer to Applicants presently claimed invention as Haruta et al. is added for the general teaching of textile printing.

The Examiner also rejected claims 13-15 and 18 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. or Himeno et al. in view of Tittmann et al. (US Pat. No. 5,871,669). For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Tittmann et al. does not bring one skilled in the art closer to Applicants presently claimed invention as

Tittmann et al. is added for the general teaching of incorporating stabilizers to a dye mixture.

The Examiner rejected claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. in view of Loeffler et al. (US Pat. No. 5,403,363). The Examiner also rejected claims 5 and 24 under 35 U.S.C. § 103(a) as being unpatentable over Himeno et al. in view of Loeffler et al. (US Pat. No. 5,403,363). For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Loeffler et al. does not bring one skilled in the art closer to Applicants presently claimed invention as Loeffler et al. does not teach or suggest a dye mixture comprising a yellow-dyeing mixture of the dyes of formula I and IV as presently claimed.

Finally, the Examiner rejected claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over Pichler et al. and Himeno et al. in view of Sutter et al. (WO 02/051941) and Hall (US Pat. No. 5,759,212) respectively. For the reasons set forth above, the presently claimed invention is not obvious in view of Pichler et al. or Himeno et al. Adding the teachings of Sutter et al. or Hall does not bring one skilled in the art closer to Applicants presently claimed invention as neither Sutter et al. nor Hall teaches or suggests a dye mixture comprising a yellow-dyeing mixture of the dyes of formula I and IV as presently claimed.

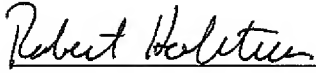
Conclusion

Applicants respectfully submit that the application is now in condition for allowance, and respectfully request an issuance of a Notice of Allowance directed towards the pending claims.

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Respectfully Submitted,

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